

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JAMES BERTONIS, <i>individually and on behalf of</i>	:	
<i>all others similarly situated</i>	:	
	:	
Plaintiff,	:	25-CV-1598 (VEC)
	:	
-against-	:	
	:	
MORGAN STANLEY, MORGAN STANLEY	:	
SMITH BARNEY LLC, and E*TRADE	:	
SECURITIES LLC	:	
	:	
Defendants.	:	
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MARK E. MCKINNEY and NEAL GAGNER,	:	
<i>individually and on behalf of all others similarly</i>	:	
<i>situated,</i>	:	
	:	
Plaintiffs,	:	24-CV-8860 (VEC)
	:	
-against-	:	
	:	
MORGAN STANLEY, MORGAN STANLEY	:	
SMITH BARNEY LLC, and E*TRADE	:	
SECURITIES LLC	:	
	:	
Defendants.	:	
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VALERIE CAPRONI, United States District Judge:

WHEREAS on February 25, 2025, Plaintiff James Bertonis filed a Complaint *Bertonis v. Morgan Stanley et al.*, No. 25-CV-1598 (“*Bertonis*”), as well as statements of relatedness pertaining to two other cases assigned to the Undersigned: *Estate of Bernard J. Sherlip v. Morgan Stanley et al.*, No. 24-CV-4571, and *McKinney v. Morgan Stanley et al.*, No. 24-CV-8860 (“*McKinney*”);

WHEREAS *Bertonis* and *McKinney* involve the same defendants, the same plaintiffs’ counsel, and some of the same allegations; and


WHEREAS on March 4, 2025, *Bertonis* was assigned to the Undersigned.

IT IS HEREBY ORDERED that not later than **Wednesday, March 12, 2025**, Mr.

Bertonis, the parties in *McKinney*, and the proposed intervenor plaintiff in *McKinney* must file a joint letter indicating how they believe the two cases should proceed, including whether they believe *Bertonis* and *McKinney* should be consolidated. The letter must not exceed 1,500 words.

SO ORDERED.

Date: March 5, 2025
New York, New York



VALERIE CAPRONI
United States District Judge